

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CHENG JIANGCHEN, Individually
and on Behalf of All Others Similarly
Situated,

Plaintiff,

vs.

RENTECH, INC., KEITH B.
FORMAN, and JEFFREY SPAIN,

Defendants.

Case No. CV 17-1490-GW-FFMx

Honorable George H. Wu

Hearing Date: October 10, 2019

**ORDER AWARDING ATTORNEYS' FEES
AND REIMBURSEMENT OF LITIGATION EXPENSES**

This matter came on for hearing on October 10, 2019 (the "Settlement Hearing") on Lead Counsel's motion for an award of attorneys' fees and reimbursement of Litigation Expenses. The Court having considered all matters submitted to it at the Settlement Hearing and otherwise; and it appearing that notice of the Settlement Hearing substantially in the form approved by the Court was mailed to all Settlement Class Members who or which could be identified with reasonable effort, and that a summary notice of the hearing substantially in the form approved by the Court was published in *Investor's Business Daily* and was transmitted over the *PR Newswire* pursuant to the specifications of the Court; and

1 the Court having considered and determined the fairness and reasonableness of the
2 award of attorneys' fees and Litigation Expenses requested,

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4 NOW, THEREFORE, IT IS HEREBY ORDERED THAT:

5 1. This Order incorporates by reference the definitions in the Stipulation
6 and Agreement of Settlement dated May 22, 2019 (ECF No. 97-1) (the
7 "Stipulation") and all capitalized terms not otherwise defined herein shall have the
8 same meanings as set forth in the Stipulation.
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10 2. The Court has jurisdiction to enter this Order and over the subject
11 matter of the Action and all parties to the Action, including all Settlement Class
12 Members.
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14 3. Notice of Lead Counsel's motion for an award of attorneys' fees and
15 reimbursement of Litigation Expenses was given to all Settlement Class Members
16 who could be identified with reasonable effort. The form and method of notifying
17 the Settlement Classes of the motion for an award of attorneys' fees and expenses
18 satisfied the requirements of Rule 23 of the Federal Rules of Civil Procedure, the
19 Private Securities Litigation Reform Act of 1995 (15 U.S.C. § 78u-4(a)(7)), due
20 process, and all other applicable law and rules, constituted the best notice
21 practicable under the circumstances, and constituted due and sufficient notice to all
22 persons and entities entitled thereto.
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26 4. Lead Counsel are hereby awarded attorneys' fees in the amount of
27 33⅓% of the Settlement Fund and \$64,799.46 in reimbursement of Lead Counsel's
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1 litigation expenses (which fees and expenses shall be paid from the Settlement
2 Fund), which sums the Court finds to be fair and reasonable. In making this award
3 of attorneys' fees and reimbursement of expenses to be paid from the Settlement
4 Fund, the Court has considered and found that:

6 A. The Settlement has created a fund consisting of \$2,050,000 in
7 cash that has been funded into escrow pursuant to the terms of the Stipulation,
8 and that numerous Settlement Class Members who submit acceptable Claim
9 Forms will benefit from the Settlement that occurred because of the efforts of
10 Lead Counsel;
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13 B. Copies of the Postcard Notice were mailed to over 15,936
14 potential Settlement Class Members and nominees stating that Lead Counsel
15 would apply for attorneys' fees in an amount not exceed 33⅓% of the
16 Settlement Fund and reimbursement of Litigation Expenses in an amount not
17 to exceed \$75,000. There were no objections to the requested attorneys' fees
18 and expenses;
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21 C. Lead Counsel has conducted the litigation and achieved the
22 Settlement with skill, perseverance and diligent advocacy;
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24 D. The Action raised a number of complex issues;

25 E. Had Lead Counsel not achieved the Settlement there would
26 remain a significant risk that Lead Plaintiff and the other members of the
27 Settlement Class may have recovered less or nothing from Defendants;
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1 F. Lead Counsel undertook the Action on a fully contingent basis,
2 thereby assuming the risk of loss;

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4 G. Lead Counsel devoted over 1,898 hours, with a lodestar value of
5 approximately \$1,330,208.10 to achieve the Settlement; and

6 H. The amount of attorneys' fees awarded and expenses to be
7 reimbursed from the Settlement Fund are fair and reasonable and consistent
8 with awards in similar cases.

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10 5. Lead Plaintiff Ichiro Ikuno is hereby awarded \$3,500 from the
11 Settlement Fund as reimbursement for his reasonable costs and expenses directly
12 related to his representation of the Settlement Class.

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14 6. Any appeal or any challenge affecting this Court's approval regarding
15 any attorneys' fees and expense application shall in no way disturb or affect the
16 finality of the Judgment.

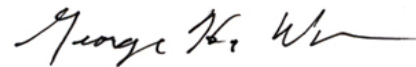
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18 7. Exclusive jurisdiction is hereby retained over the parties and the
19 Settlement Class Members for a period of five (5) years for all matters relating to
20 this Action, including the administration, interpretation, effectuation or
21 enforcement of the Stipulation and this Order.

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23 8. In the event that the Settlement is terminated or the Effective Date of
24 the Settlement otherwise fails to occur, this Order shall be rendered null and void to
25 the extent provided by the Stipulation.

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27 9. There is no just reason for delay in the entry of this Order, and
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1 immediate entry by the Clerk of the Court is expressly directed.

2 SO ORDERED this 8th day of November, 2019.

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6 HON. GEORGE H. WU,
7 United States District Judge
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